

REMARKS

Reconsideration and withdrawal of the rejection and the allowance of all claims now pending in the above-identified patent application (i.e., Claims 20-35) are respectfully requested in view of the foregoing amendments and the following remarks.

At the outset, it should be recognized that the present invention provides a playhouse for children having supporting posts (2) with limit stops (4) or locking elements (23) and being formed as vertical plate-like bodies (7). A roof (1) affixed to the supporting posts (2) with the roof being a self-supporting slab (1) resting in a horizontal direction directly upon the supporting posts (2). In a particularly preferred embodiment, the supporting posts (2) have a length exceeding a distance as measured from the roof (1) to a floor level of the playhouse, and having a recess (3) into which said self-supporting slab (1) is capable of being inserted edgewise. The playhouse of the present invention can be constructed quite easily, in many differing ways, and in little time, with good stability and without the need for using permanent fixation means, such as screws or nails.

As will be explained in greater detail hereinafter, nowhere in the prior art is such a novel, and easy to construct, playhouse either disclosed or suggested.

in an anticipation rejection must nevertheless reasonably disclose all limitations recited in the claims under examination. O'Brian et al. does not reasonably disclose a "roof" structure, which Applicant's claims do recite as part of the presently claimed invention. The slide element and express teaching in O'Brian et al., that surface (26) is a "platform" with handrails (38), undermine the Examiner's apparent contention that the platform (26) can also be viewed as a "roof" as recited in Applicant's claims.

Applicant is mindful of the law regarding anticipation and, Applicant respectfully submits, that the Examiner's application of the relevant law is not correct. If the Applicant has misconstrued the Examiner's position, the Examiner is cordially invited to telephone the undersigned to further discuss and clarify the issues raised in the final Office Action.

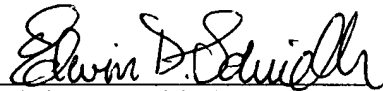
In view of the foregoing, Applicant respectfully contends that O'Brian et al. neither anticipates, nor is capable of rendering obvious, the present invention, as claimed. Accordingly, Applicant respectfully requests withdrawal of the Examiner's 35 U.S.C. §102(b) anticipation rejection applying O'Brian et al.

In view of the foregoing, it is respectfully contended that all claims now pending in the above-identified patent application (i.e., Claims 20-31) recite a novel playhouse and

versatile for children, having a slab structure for a roof and supporting posts formed as vertical plate-like bodies, which is patentably distinguishable over the prior art. Accordingly, withdrawal of the outstanding rejection and the allowance of all claims are respectfully requested and earnestly solicited.

Respectfully submitted,

HARTMUT EICHINGER

By 
Edwin D. Schindler
Attorney for Applicant
Reg. No. 31,459

Five Hirsch Avenue
P. O. Box 966
Coram, New York 11727-0966

(631)474-5373

December 5, 2001

- Enc.: 1. Request for a Continued Prosecution Application;
2. Petition for Three-Month Extension of time; and,
3. Check for \$830.00 (Continued Prosecution Application Filing Fee (\$370.00) + Three-Month Extension Fee (\$460.00)).

The Commissioner is hereby authorized to charge the Deposit Account of Applicant's Attorney, Account No. 19-0450, for any additional fees which may be due in connection with the prosecution of the present application, but which have not otherwise been provided for.